

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda/Minutes

February 11, 2014

7:00 P.M.

Call to Order- **Council President Garcia-Martinez called the meeting to order at 7:11p.m.**

Roll Call- **All councilmembers present.**

- **Also present were:**
 - **Carlos Hernandez, Mayor**
 - **William Grodnick, City Attorney**
 - **Marbelys Fatjo, Acting City Clerk**

Invocation given by Acting City Clerk, Marbelys Fatjo

Pledge of Allegiance led by Councilwoman Lourdes Lozano

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the Acting City Clerk, and translated to Spanish by Maricarmen López, Administrative Aide in the Office of the City Clerk.

Presentations – None

1. Announcement of Amendments/Corrections to the Agenda – None
2. Consent Agenda –

REPORT: Mayor removed items L, M and N from the Consent Agenda for separate discussion.

REPORT: Motion to Approve the Consent Agenda, except Item L, M and N, made by Council Vice President Gonzalez, and seconded by Councilman Caragol. MOTION PASSED (7-0).

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on January 28, 2014. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- B. Proposed resolution authorizing the transfer of an amount not to exceed two hundred twenty-six thousand and nine hundred ninety dollars and thirty cents (\$226,990.30) from the Law Enforcement Trust Fund – *State*, to cover the overtime costs of a Special Holiday Crime Prevention Task Force for the 2013-2014 fiscal year, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0)**
RESOLUTION NO. 2014-23
- C. Request permission to increase purchase order #2014-782, since it is advantageous to the City, issued to Quadmed, Inc., for additional medical supplies, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$35,000. Also, request permission to increase purchase order #2014-779, since it is advantageous to the City, issued to Bound Tree Medical, LLC, for additional medical supplies, by an additional amount of \$12,000, for a new total cumulative amount not to exceed \$42,000. Quadmed Inc., and Bound Tree Medical, LLC, were awarded Hialeah Bid #2012/13-200-12-047 – Medical Supplies, during the City Council meeting of November 12, 2013, Item Q. (FIRE DEPT.) **APPROVED (7-0)**
- D. Request permission to issue a purchase order to Medical Priority Consultants, Inc., d/b/a Priority Dispatch Corporation, sole source vendor, for the license and service agreement for the Public Safety Priority Dispatch Systems, and further request permission to enter into a service agreement with this vendor with an expiration date of September 30, 2014, for a total cumulative amount not to exceed \$16,384. (FIRE DEPT.) **APPROVED (7-0)**
- E. Request permission to increase purchase order #2014-128, since it is advantageous to the City, issued to Kelly Tractor Co, to purchase caterpillar parts and services for the City's Caterpillar heavy equipment, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- F. Request permission to increase purchase order #2014-130, since it is advantageous to the City, issued to Jorge Leon Car Wash, Inc., for the service of washing City vehicles and

trucks, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$27,500. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**

- G. Proposed resolution approving the expenditure totaling an amount not to exceed \$4,500 from the Law Enforcement Training Trust Fund, for the purchase of three hundred Florida Law Enforcement Handbooks MDPD 2014 Edition from Matthew Bender and Company, Inc., a sole source vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-24**
- H. Proposed resolution approving the expenditure totaling an amount not to exceed \$101,794.60 from the Law Enforcement Trust Fund – *Federal*, as follows: \$91,495 for the purchase of five (5) 2014 Chevrolet Impalas (1WF19) police vehicles from Garber Chevrolet, utilizing the pricing established by a competitive bid from the Florida Sheriff's Association and Emergency Equipment with installation from Rainbow Window Tinting Inc. for \$10,299.60, upon such costs being approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-25**
- I. Proposed resolution approving the expenditure totaling an amount not to exceed \$14,589.75 from the Law Enforcement Trust Fund- *Federal*, to purchase thirty-five Mich Level IIIA helmets and related accessories from Federal Eastern International, Inc., lowest quote vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-26**
- J. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, Utility Cargo Van, Specification #33, 2014 Chevrolet Express Cargo Van (CG23405), and issue a purchase order to Alan Jay Chevrolet-Cadillac, Inc., for the purchase of one (1) 2014 Chevrolet Express Cargo Van, for a total cumulative amount not to exceed \$18,649. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (7-0)**
- K. Request permission to increase purchase order #2014-884, since it is advantageous to the City, issued to Lou's Police Distributors, Inc., for the replacement of uniforms damaged during police duties, by an additional amount of \$15,376.71, for a new total cumulative amount of \$48,028.25. (POLICE DEPT.) **APPROVED (7-0)**
- L. Proposed resolution re-naming the City Elderly Affordable Housing Building located at 695 West 2 Avenue, formerly known as Angela Gardens to "The Gardens," with the cost of signage to be paid by the City. (ADMINISTRATION) **APPROVED (7-0) RESOLUTION NO. 2014-27**

REPORT: Mayor informed all in attendance that the renaming of this property has been approved by the City's Historic Board.

Motion to Approve Item L made by Councilmember Casáls-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

- M. Proposed resolution re-naming the City Park located at 7900 West 32 Avenue, Hialeah, Florida, formerly known as Casas Park, as “Veterans Park,” in recognition and commemoration of the brave men and women who have served in the U.S. Armed Forces and have selflessly sacrificed to fight for our freedom, with the cost of signage to be paid by the City. (ADMINISTRATION). **APPROVED (7-0) RESOLUTION NO. 2014-28**

REPORT: Mayor informed all in attendance that the renaming of this property has been approved by the City’s Historic Board.

Motion to Approve Item M made by Councilwoman Cue-Fuente, and seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0).

- N. Proposed resolution supporting efforts to reduce gun violence and illegal firearms trafficking through more responsible gun sales and marketing practices. (ADMINISTRATION) **APPROVED AS AMENDED (6-1-0) VCM voting “No” RESOLUTION NO. 2014-29**

Motion to Approve Item N made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-1).

REPORT: Mayor provided the Council with a form titled “Responsible Firearms Retailer Partnerships: Code of Best Practices”, and expressed the reasons for proposing this resolution. Said form has been attached to the resolution as Exhibit “1”.

3. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article VI. Supplementary District Regulations, Division 10. Parking, of the Code of Ordinances and in particular, revising Hialeah Code §98-2189 entitled “Minimum Required Off-Street Parking Spaces” to allow property owner to satisfy minimum off-street parking requirements for guest parking in connection with residential uses through Valet Guest Parking Services for residential uses, as approved by the City; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0) ORDINANCE NO. 2014-08**

Motion to approve made by Council Vice President Gonzalez, seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0)

REPORT: Angelina Rodriguez, 2 Circle Drive, Hialeah FL addressed the Mayor and Council in opposition to items 3 & 4.

REPORT: Alice Sargent, 26 Suffolk Avenue Hialeah, FL addressed the Mayor and Council in opposition to items 3 & 4.

REPORT: Raul Santiesteban, 283 East 4 Avenue, Hialeah, FL addressed the Mayor and Council in opposition to items 3 & 4.

REPORT: City Attorney William Grodnick explained the proposed changes in comparison to the ordinance passed in 2006, with simultaneous Spanish translation by Maricarmen Lopez, Administrative Aide in the Office of the City Clerk.

REPORT: Roxanna Green, 7835 West 18 Lane, Hialeah, FL addressed the Mayor and Council in regards to items 3 & 4.

REPORT: Juan Santana, 1190 West 56 Street, Hialeah, FL inquired on who proposed this ordinance.

REPORT: Mayor Hernandez thanked the residents present in the audience and assured that his job is to act in the interest of the City and its residents. Mayor Hernandez also stated that he is willing to listen to the residents' concerns. He also expressed the same in Spanish for the Spanish speaking residents in audience.

REPORT: Council Vice President Gonzalez stated that in 2006 when the initial ordinance was passed, there were rumors that distorted information. He urged the audience to present their concerns during the second reading of an ordinance, and discussed valet/guest parking issues. He thanked the residents present. He also expressed the same in Spanish for the Spanish speaking residents in audience.

REPORT: Councilwoman Lozano stated that this proposition is good for the City, and that Hialeah is the City of Progress. She urged the residents to trust the decisions made by their Councilmembers. She expressed the same in Spanish for the Spanish speaking residents in audience.

REPORT: Council President Garcia-Martinez spoke the opening of new store chains in Hialeah, and stated that residents will always have a voice before the Council for their concerns. She thanked the residents. She expressed the same in Spanish for the Spanish speaking residents in audience.

4. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled "Zoning", Article V. Zoning District Regulations, Division 33. NBD Neighborhood Business District, of the Code of Ordinances and in particular, revising the provisions concerning the purpose, precedence over other land use and zoning regulations surface parking and parking requirements and height and density incentives and miscellaneous provisions; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0)**
ORDINANCE NO. 2014-09

Motion to approve made by Councilman Caragol, seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0)

5. Second reading and public hearing of proposed ordinance amending Chapter 2 entitled "Administration", Article II. Departments, Offices and Divisions, of the Code of Ordinances by amending Division 8 entitled "Finance Department" and Division 9 entitled "Office of Management and Budget" to effectuate the transfer of the Purchasing

Division to the Finance Department and by amending Division 6 entitled “Public Works Department” to correct language to accurately reflect the creation of a Public Works Department and other miscellaneous revisions; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0) ORDINANCE NO. 2014-10**

Motion to approve made by Council Vice President Gonzalez, seconded by Councilwoman Lozano. MOTION PASSED (7-0)

6. First reading of proposed ordinance amending Chapter 18 entitled "Businesses" of the Code of Ordinances and in particular, amending Article V. entitled “Establishments Offering Alcoholic Beverages and/or Entertainment”, amending section 18-206 “Definitions” amending the definitions generally for clarification between business uses allowed; amending section 18-207 “Zoning Requirements” eliminating the requirement of an SUP for a restaurant and lounge offering alcoholic beverages and entertainment; adding a new section 18-210 entitled “Extended Hours Lounge Permit” providing for regulation and extended hours of operation for bars and certain restaurants in the operation of a lounge for the specific provision of live entertainment; and providing for miscellaneous changes to be consistent with new regulations; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0)**

Motion to approve made by Council Vice President Gonzalez, seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0). Second reading is scheduled for February 25, 2014.

REPORT: Mayor discussed the benefits of this proposed ordinance.

7. First reading of proposed ordinance amending Chapter 86 entitled "Taxation", Article II. Local Business Tax, and in particular, revising Hialeah Code § 86-40 entitled "Exemptions" to provide an exemption for Business Tax Receipts for governmental offices and facilities; offices providing municipal administered grant-funded program services, residential facilities owned and operated by the City or the housing authority to conform to existing practice; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0)**

Motion to approve made by Council Vice President Gonzalez, seconded by Councilman Hernandez. MOTION PASSED (7-0). Second reading is scheduled for February 25, 2014.

8. Board Appointments- **None**
9. Unfinished Business- **None**
10. New Business-

REPORT: Mayor reminded the Council about the Art on Palm event and urged everyone to inform the residents. He also stated that Univision Radio will be present at the event. Mayor Hernandez also recognized that Miami Dade County Schools' Superintendent Carvalho's visit and recognized that 3 out of 6 school principals from the State of Florida are from the City of Hialeah.

11. Comments and Questions-

REPORT: Francisco Delgado, 760 East 55 Street, expressed his concerns regarding an issue he is having with Miami Dade County in regards to a pump and the foul odor emanating from it. Mayor Hernandez referred him to Ms. Lena Borges, Assistant to Commissioner Esteban Bovo who was present at the Council meeting.

REPORT: Frank de la Paz, 300 West 84 Street Hialeah, FL, commended the Council on the approval of items 3 & 4.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

NEXT CITY COUNCIL MEETING: February 25, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: February 25, 2014 at 6:30 p.m.

Meeting was adjourned at 8:41 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).